

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEO PELLEGRINO : CIVIL ACTION  
: :  
v. : :  
: :  
EPIC GAMES, INC. : NO. 19-1806

**ORDER**

**AND NOW**, this 31st day of March, 2020, upon consideration of Defendant Epic Games, Inc.'s "Motion to Dismiss" (Docket No. 14), all documents filed in connection therewith, and the Oral Argument held on March 3, 2020, and for the reasons stated in the accompanying Memorandum, **IT IS HEREBY ORDERED** that the Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. The Motion is **GRANTED** with respect to Counts I, II, III, IV, V, VII, and VIII, and these claims are **DISMISSED** with prejudice.
2. The Motion is **GRANTED** with respect to Count VI insofar as Count VI is based on a false designation of origin theory, and the claim in Count IV is **DISMISSED** with prejudice insofar as it is based on that theory.
3. The Motion is **DENIED** with respect to Count VI insofar as Count VI is based on a false endorsement theory.
4. Defendant shall file an Answer to the Complaint no later than April 15, 2020.

BY THE COURT:

/s/ John R. Padova  
John R. Padova, J.